



PATENT
Attorney Docket 54800-5004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: **Roderic Dale et al.**
Application No. **09/223,957**
Filed: **December 31, 1998**
For: **Method for Nucleic Acid Preparation**

Group Art Unit: 1623
Examiner: **Howard V. Owens, Jr.**

NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES

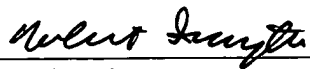
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated July 2, 2003 of the Examiner finally rejecting claims 1, 3, 4, 6 to 16 and 18 to 21. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a three-month extension of time from October 2, 2003 to January 2, 2004 the fee for which is \$475.00 as set forth in 37 C.F.R. 1.17(a)-(d) for a small entity. If an additional extension of time is required, please consider this a Petition therefor.

The Commissioner is hereby authorized to charge **\$640.00** to Deposit Account No. 50-0310 for payment of the three-month extension of time fee (\$475.00) and the Notice of Appeal fee (\$165.00) for a small entity as set forth on the accompanying transmittal form.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **December 23, 2003**
Morgan, Lewis & Bockius LLP
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Respectfully submitted,
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01 FC:2401 165.00 DA

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02 FC:2252 475.00 DA